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TERRELL C. BIRCH
ALMOND C. STEWART
JOSEPH A. KOLASCH
JAMES M. SLATTERY
MICHAEL K. MUTTER
CHARLES GORENSTEIN
EDWARD M. MURPHY, JR.
LEONARD R. SVENSSON
ANDREW D. MEIKLE
MARCS S. WEINER
JOE MCKINNEY MUNCY
ROBERT J. KENNEY
JOHN W. BAILEY
MARK J. NUELL, PH.D.
JAMES T. ELLER, JR.
D. RICHARD ANDERSON
THOMAS M. SMALL*
ROBERT A. SELDON*
JOHN A. SCILLERI*
SANFORD ASTOR*

BIRCH, STEWART, KOLASCH & BIRCH, LLP

INTELLECTUAL PROPERTY LAW

**8110 GATEHOUSE ROAD
SUITE 500 EAST
FALLS CHURCH, VA 22042-1210
U.S.A.**

(703) 205-8000

FAX: (703) 205-8050
(703) 698-8590 (G IV)

e-mail: mailroom@bskb.com
web: <http://www.bskb.com>

CALIFORNIA OFFICES:
COSTA MESA, CALIFORNIA
LOS ANGELES, CALIFORNIA

SCOTT L. LOWE
PAUL C. LEWIS
RICHARD J. GALLAGHER
MARYANNE ARMSTRONG, PH.D.
KECIA J. REYNOLDS
KALPANA REDDY
MARK E. OLDS
ESTHER H. CHONG
CATHERINE M. VOISINET*
EUGENE T. PEREZ
CAROLYN T. BAUMGARDNER*
JOHN P. KEADY, PH.D.
MARTIN R. GEISSLER*
J. ALISON GRABELL*
T. BENJAMIN SCHROEDER, PH.D.
PERCY L. SQUARE
CLINT A. GERDINE
CRAIG A. MCROBBIE

REG. PATENT AGENTS:
FREDERICK R. HANDREN
MAKI HATSUMI
GARTH M. DAHLEN, PH.D.
ROBERT E. GOOZNER, PH.D.
KRISTI L. RUPERT, PH.D.
MATTHEW T. SHANLEY
SUSAN W. GORMAN, PH.D.
ROBERT W. DOWNS
CHAD J. BILLINGS
CHRISTINE V. CASTILLO
CARL T. THOMSEN
SAM BHATTACHARYA

22388 U.S. PRO
10/6/1991

08/19/03

OF COUNSEL:
HERBERT M. BIRCH (1905-1996)
BERNARD L. SWEENEY*
ELLIOT A. GOLDBERG*
WILLIAM L. GATES*
EDWARD H. VALANCE
RUPERT J. BRADY (RET.)*
F. PRINCE BUTLER
FRED S. WHISENHUNT (RET.)
JAMES W. HELLEWEGE
QUENTIN R. "RICK" CORRIE
ROBERT F. GNUSE
DAVID R. MURPHY
PHILIP K. YU*

*ADMITTED TO A BAR OTHER THAN VA.

Date: August 19, 2003

Docket No.: 2870-0264P

MS PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a continuation divisional
 continuation-in-part application under 37 C.F.R. § 1.53(b) of
pending prior Application No. 09/695,864 filed on October 26,
2000, the entire contents of which are hereby incorporated by
reference,
by

Yasuhiro YOSHIOKA and Makoto SUZUKI

for

PHOTOTHERMOGRAPHIC MATERIAL

1. Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
 2. The filing fee has been calculated as follows:



Docket No. 2870-0264P

| | | LARGE ENTITY | | SMALL ENTITY | |
|---|--------------|--------------|---------------|---------------|--|
| BASIC FEE | | \$750.00 | | \$375.00 | |
| | NUMBER FILED | NUMBER EXTRA | RATE FEE | RATE FEE | |
| TOTAL CLAIMS | 19-20 = | 0 | x 18 = \$0.00 | x 9 = \$0.00 | |
| INDEPENDENT CLAIMS | 1-3 = | 0 | x 84 = \$0.00 | x 42 = \$0.00 | |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED | | | + \$280.00 | + \$140.00 | |
| | | TOTAL | \$0.00 | \$0.00 | |

3. A check in the amount of \$1,030.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5. Enclosed is/are two (2) sheet(s) of formal drawings and/or photographs.
- 6a. A statement claiming small entity status was filed in prior Application No. 09/695,864 on _____. See the attached copy of the statement claiming small entity status.
- 6b. The current application qualifies for small entity status.
7. The prior application is assigned to Fuji Photo Film Co., Ltd..
8. A Preliminary Amendment is enclosed.
- 9a. Priority of Application No(s). 304347/1999 and 20744/2000 filed in Japan on October 26, 1999 and January 28, 2000 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on October 26, 2000.
- 9b. Priority of International Appln. _____ filed on _____ under the Patent Cooperation Treaty and _____

Application No. _____ filed in _____ on _____ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.

10. An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11. Address all future communications to:
BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000
or
Customer No. 02292
12. An extension of time for _____ () month(s) until _____ has been submitted in parent Application No. 09/695,864 in order to establish co-pendency with the present application.
13. Also enclosed herewith is the following:

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Marc S. Weiner, #32,181
[Signature]

MSW/TBS/bsh
2870-0264P
BS

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 07/303)